

REMARKS

Claims 1-6, 8-13, 15, and 17-18 are pending. Applicant respectfully traverses and requests reconsideration. The undersigned would like to thank the Examiner for the examiner interview on December 17, 2004. The Applicant would like to also thank the Examiner for the allowance of claims 9 and 18, and for an indication that claims 19 and 20 are allowable if amended as suggested.

Claims 1-6, 8-13, 15, and 17-18 are rejected under 35 U.S.C. §102(b) based on Favor ("Favor") (WO 97/13194). As discussed during the Examiner interview and as also stated in the Office Action on page 3 ref #6, claims that essentially recite an evaluation of the flag modification enable bit to determine whether the non-native instruction flag associated with the flag modification enable bit will be modified by the native instructions, would be allowable. Accordingly, the Applicant has amended Claim 1 to recite, among other things, "updating the at least one non-native instruction flag in response to determining whether the at least one flag modification enable bit allows updating of the at least one non-native instruction flag." As a result, an evaluation of the flag modification enable bit determines whether the non-native instruction flag will be updated. Independent Claim 10 is similarly amended. Therefore, Favor does not anticipate amended independent Claims 1 and 10. For at least the reasons stated above, it is submitted that the present rejections should be withdrawn. Accordingly, Applicants respectfully submit that Claims 1 and 10 are in condition for allowance.

Dependent Claims 2- 6, 8, 9, 11, 12, 15 and 17

Dependent Claims 4, 5, 6 are amended to be consistent with the amendments to claim 1. Similarly, dependent Claim 15 is amended to be consistent with the amendments to claim 10. Applicant further submits that dependent Claims 2 - 6, 8, 9, 11, 12, 15 and 17 are also allowable in light of the presence of novel and non-obvious elements contained in these claims that are not otherwise present Claims 1 and 10. Applicant also submits that these Claims depend from Claims 1 and 10, and as dependent therefrom, these Claims are allowable for at least the reasons Claims 1 and 10 are allowable.

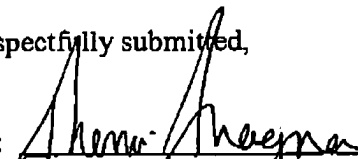
With regards to Claims 19 and 20, Applicant again wishes to thank the Examiner for the suggested corrections to these claims. An appropriate amendment to Claims 19 and 20 is provided.

Applicant respectfully requests that the pending claims be allowed to issue. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this Application.

Date: December 22, 2004

Respectfully submitted,

By:


Themi Anagnos, Reg. No. 47,388

Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street, Suite 2600
Chicago, Illinois 60601
PHONE: (312) 609-7970
FAX: (312) 609-5005
EMAIL: tanagnos@vedderprice.com